

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 391 Transportation Facility Designations

**SPONSOR(S):** Transportation & Infrastructure Subcommittee, Brannan

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	12 Y, 0 N, As CS	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee		Davis	Davis
3) State Affairs Committee			

### SUMMARY ANALYSIS

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings. State law also requires the appropriate city or county commission to pass a resolution supporting the designation prior to the erection of markers indicating the designation.

The bill designates the Austin D. Gay Memorial Highway in Columbia County, the Wesley L. Silas Memorial Highway in Suwannee County and the Joshua S. Montaad Memorial Highway in Taylor County, and directs the Department of Transportation (DOT) to erect suitable markers for each of these designations.

DOT estimates a \$3,000 negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designations. This cost can be absorbed within existing DOT resources.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

###### Designations

Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

###### Road Markers

The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for the transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

##### **Effect of the Bill**

The bill provides honorary designations for three Department of Agriculture and Consumer Services law enforcement personnel killed in the line of duty.

**Subsection 1** designates that portion of U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as the “Austin D. Gay Memorial Highway.”

On April 14 1979, Inspector Gay was shot and killed after being abducted from his inspection station on U.S. 441.<sup>1</sup>

**Subsection 2** designates that portion of I-10 between the Madison County line and mile marker 275 in Suwannee County as the “Wesley L. Silas Memorial Highway.”

On March 1, 1994, Officer Silas was killed after being struck by a tractor trailer at the Agricultural Inspection Station on I-10 near Live Oak.<sup>2</sup>

**Subsection 3** designates that portion of U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as the “Joshua S. Montaad Memorial Highway.”

On June 6, 2017, Officer Montaad was killed in a single vehicle crash on U.S. 19 in Taylor County, when his patrol car left the roadway and struck a tree and caught fire.<sup>3</sup>

The bill also requires DOT to erect suitable markers designating each of the above designations.

#### B. SECTION DIRECTORY:

Section 1 provides honorary designations of various transportation facilities and directs DOT to erect suitable markers.

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<sup>1</sup> <https://www.odmp.org/officer/20615-inspector-austin-dewey-gay> (Last visited Oct. 18, 2019).

<sup>2</sup> <https://www.odmp.org/officer/986-officer-wesley-l-silas> (Last visited Oct. 18, 2019).

<sup>3</sup> <https://www.odmp.org/officer/23268-officer-joshua-sanchez-montaad> (Last visited Oct. 18, 2019).

Section 2 provides an effective date of July 1, 2020.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

The bill does not impact state government revenues.

#### **2. Expenditures:**

DOT estimates a cost of \$1,000 per designation for the appropriate markers, which provides for two signs per designation at \$500 per sign.<sup>4</sup> Therefore, the bill has an estimated negative fiscal impact of \$3,000 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

The bill does not impact local government revenues.

#### **2. Expenditures:**

The bill does not impact local government expenditures.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

#### **1. Applicability of Municipality/County Mandates Provision:**

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

#### **2. Other:**

None.

### **B. RULE-MAKING AUTHORITY:**

The bill does not provide a grant of rulemaking authority, nor does it require rulemaking.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

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<sup>4</sup> Email from Amanda Marsh, Office of Legislative Programs, Florida Department of Transportation, RE: Road Designation Fiscal (Aug. 14, 2019).

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On November 13, 2019, the Transportation & Infrastructure Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment clarifies that the Wesley L. Silas Memorial Highway designation begins at the Madison County line in Suwannee County.

This analysis is drafted to the committee substitute as approved by the Transportation & Infrastructure Subcommittee.